

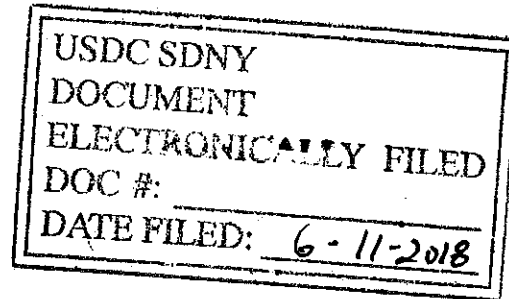
GETMAN SWEENEY & DUNN

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CONFIDENTIAL PURSUANT TO FRE 408

June 8, 2018

Hon. Denise L. Cote
United States District Court
Southern District of New York
500 Pearl Street, Room 1910
New York, NY 10007
VIA EMAIL: cotenysdchambers@nysd.uscourts.gov



Re: *Roseman et al v. Bloomberg*, 1:14-cv-02657-DLC

NO ENDORSE

Your Honor:

I write on behalf of both Parties to respectfully request a brief extension of the time for the Parties to file their Motion for Preliminary Settlement Approval from Friday, June 15, 2018, (*see* Dkt 492) to Tuesday, June 19, 2018. The Parties are submitting this letter via email to chambers rather than filing it publicly on ECF because the letter contains confidential information regarding the Parties' settlement negotiations process.

The Parties are requesting the extension so that they may continue trying to resolve two issues related to the Parties' Settlement Agreement, pursuant to an order by Magistrate Judge Stewart Aaron, and to finalize the Settlement Agreement and related documents once these two issues are resolved. The Parties have agreed still to have a signed settlement agreement by Friday, June 15, 2018, and only seek here to extend the filing deadline for the Motion for Preliminary Settlement Approval. The Parties have not made any previous requests for an extension.

This Court referred the Parties to Judge Aaron for a settlement conference and mediation on the afternoon of April 20, 2018, which was after a full week of trial and after Plaintiffs had rested their case-in-chief. Judge Aaron successfully was able to bring the Parties into agreement on the material terms of a settlement, which resulted in the signing of a Term Sheet late in the evening on April 20, 2018. The Parties then presented the Term Sheet to this Court on the morning of Monday, April 23, 2018, and this Court dismissed the jury and directed the Parties to file a motion for preliminary settlement approval by June 15, 2018. *See* Dkt. 492. The Parties since have cooperated in good faith to use the Term Sheet to draft the Settlement Agreement and the Class Notice of Settlement.

Under the provisions of the Term Sheet, the Parties sought rulings from Judge Aaron on issues to which they could not reach agreement. On June 7, 2018, Judge Aaron issued rulings on most of

the issues. However, he also instructed the Parties to continue to meet and confer on two issues: the settlement allocation formula and the cy pres recipient. The Parties have until 5pm on Monday, June 11, 2018, to come to agreement on the settlement allocation formula. If the Parties are unable to agree, they must appear for a conference with Magistrate Aaron on Tuesday, June 12, 2018, at 10am. Similarly, the Parties have until 5pm on Monday, June 11, 2018 to come to agreement on a cy pres recipient. If the Parties are unable to agree, they must each submit one additional choice to Judge Aaron at that time.

Because the Parties may not have resolution on these remaining disputes until Tuesday, June 12, and because the Parties will need additional time to finalize the Settlement Agreement by Friday, June 15, 2018, and related documents consistent with either the Parties agreement or Judge Aaron's ruling on these issues, the Parties respectfully request a brief extension of the time for the Parties to file their Motion for Preliminary Settlement Approval from Friday, June 15, 2018, to Tuesday, June 19, 2018. Additionally, because of the confidential nature of this letter, the Parties respectfully request that the letter not be filed on ECF and that Your Honor instead file the attached proposed order.

Sincerely,

/s/ Lesley Tse

The request to seal is denied.
The extension to 6/19 is
granted.

James G. G.
6/11/18